

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **CHAIRMAN CINDY YOUNKIN**, on March 24, 2003 at 3:15 P.M., in Room 152 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Cindy Younkin, Chairman (R)  
Rep. Gail Gutsche, Vice Chairman (D)  
Rep. Jim Peterson, Vice Chairman (R)  
Rep. Debby Barrett (R)  
Rep. Larry Cyr (D)  
Rep. Sue Dickenson (D)  
Rep. Ron Erickson (D)  
Rep. George Everett (R)  
Rep. Kim Gillan (D)  
Rep. Christopher Harris (D)  
Rep. Carol Lambert (R)  
Rep. Michael Lange (R)  
Rep. Rick Maedje (R)  
Rep. Bruce Malcolm (R)  
Rep. Brad Newman (D)  
Rep. John (Jack) W. Ross (R)  
Rep. Scott Sales (R)  
Rep. Veronica Small-Eastman (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Kathleen Ely, Committee Secretary  
Larry Mitchell, Legislative Branch

**Video-taped Committee:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

**Committee Business Summary:**

Hearing & Date Posted: HB 725, 3/11/2003; SB 350,  
3/11/2003; SB 355, 3/11/2003  
Executive Action: HB 355, TABLED

**HEARING ON HB 725**

**Opening Statement by Sponsor:**

02:00 REP. MAEDJE, HD 81 - **Short Title:** Revise laws governing  
conservation easements and deed restrictions.

**EXHIBIT (nah62a01)**

**EXHIBIT (nah62a02)**

**EXHIBIT (nah62a03)**

**EXHIBIT (nah62a04)**

**EXHIBIT (nah62a05)**

**EXHIBIT (nah62a06)**

**Proponents' Testimony:**

17:00 Barbara Broberg, Women Involved in Farm Economics

17:00 Jim Mockler, Montana Coal Council

19:00 Mike Collins

19:00 Clarice Ryan

**EXHIBIT (nah62a07)**

21:00 Leita Beardsley

**EXHIBIT (nah62a08)**

26:00 Dave Skinner

**EXHIBIT (nah62a09)**

28:00 John Cadby, Montana Bankers Association

29:00 Gail Abercrombie, Montana Petroleum Marketers  
Association

30:00 Willie Duffield, Montana Association of Oil, Gas and  
Coal Counties

**Opponents' Testimony:**

32:00 Phil Rostadt

35:00 Tim Reardon, Department of Transportation

39:00 Dusty Crary, Nature Conservancy

42:00 Andrew Dana

**EXHIBIT (nah62a10)**

51:00 Don Hargrove, Gallatin County

55:00 David Dietrich, Montana Land Reliance

**EXHIBIT (nah62a11)**

**EXHIBIT (nah62a12)**

**EXHIBIT (nah62a13)**

1:01:00 Corey Swanson, Plum Creek Timber Company

1:04:00 Jeff Hagener, Department of Fish, Wildlife and Parks

**EXHIBIT (nah62a14)**

1:05:00 Karl Rappalane  
1:07:00 Greg Ondrak  
1:07:00 Keith Lenard, Rocky Mountain Elk Foundation  
1:08:00 Jay Erickson, Montana Land Reliance

**EXHIBIT (nah62a15)**

1:10:00 Lisa Bay, The Nature Conservancy  
1:13:00 Connie Cole, Prickly Pear Land Trust

**EXHIBIT (nah62a16)**

1:13:00 Hank Goetz  
1:13:00 Jamie Doggett, Meagher County Commissioners

**Informational Testimony:**

1:13:00 Robert Rasmussen, Trust for Public Land

**EXHIBIT (nah62a17)**

**Questions from Committee Members and Responses:**

1:14:00

**Closing by Sponsor:**

1:28:00

**HEARING ON SB 355**

**Opening Statement by Sponsor:**

1:39:00 **SEN. MCGEE, SD 11 - Short Title:** Preservation of  
monuments for land surveying.

**Proponents' Testimony:**

1:42:00 Jim Kembel, Montana Association of Registered Land  
Surveyors

**Opponents' Testimony:** None.

**Informational Testimony:**

1:42:00 Jim Currie, Montana Department of Transportation

**Questions from Committee Members and Responses:**

1:43:00

**Closing by Sponsor:**

1:57:00

**HEARING ON SB 350**

**Opening Statement by Sponsor:**

2:01:00 **SEN. GRIMES, SD 20 - Short Title:** Limit remedy for  
agency's failure to comply with MEPA procedures.

**Proponents' Testimony:**

2:06:00 John Bloomquist, Montana Stockgrowers Association  
2:14:00 Don Allen, Western Environmental Trade Association,  
also representing Angela Janacaro, Montana Mining  
Association  
2:15:00 Cary Hegreberg, Montana Contractors Association  
2:18:00 Gail Abercrombie, Montana Petroleum Association  
2:18:00 Tom Figarelle, Forward Montana!  
2:19:00 John Youngberg, Montana Farm Bureau

**Opponents' Testimony:**

2:19:00 Howard Strouse, Montana Audubon Society  
**EXHIBIT (nah62a18)**  
**EXHIBIT (nah62a19)**  
2:37:00 Richard Parks, Northern Plains Resource Council  
**EXHIBIT (nah62a20)**  
2:40:00 Jeff Barber, Montana Environmental Information Center  
2:41:00 Jerry Iverson, Big Timber  
**EXHIBIT (nah62a21)**  
2:42:00 Robin Tawney, Northern Plains Resource Council  
2:43:00 Don Judge, Montana Chapter Sierra Club

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

2:44:00

**Closing by Sponsor:**

3:16:00

**EXECUTIVE ACTION ON HB 355**

**Motion/Vote:** REP. ERICKSON moved that HB 355 DO PASS. Motion failed 8-10 with REPS. ERICKSON, EVERETT, LAMBERT, LANGE, NEWMAN, PETERSON, ROSS, and YOUNKIN voting aye by roll call vote with REP. SALES voting no by proxy.

**Motion/Vote:** REP. GUTSCHE moved that HB 355 BE TABLED AND THE VOTE REVERSED. Motion carried unanimously.

**ADJOURNMENT**

Adjournment: 6:44 P.M.

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REP. CINDY YOUNKIN, Chairman

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KATHLEEN ELY, Secretary

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**EXHIBIT (nah62aad)**